

REMARKS

This application has been reviewed in light of the Final Office Action dated April 6, 2009. Claims 33-39 and 44-50 are now pending, with Claims 33 and 44 in independent form. Claims 1, 4, 8-30, 32, and 40-43 have been cancelled by this Amendment without prejudice or disclaimer of the subject matter presented therein. Claims 33 and 39 have been amended as discussed below. Newly added Claims 44-50 are system claims that correspond to Claims 33-39. Favorable reconsideration is respectfully requested.

While Applicants do not concede the propriety of the rejections pertaining to Claims 1, 4, 8-30, 32, and 40-43, such claims have been cancelled herein without prejudice or disclaimer of the subject matter presented therein. Accordingly, the substance of these rejections is now moot, and only the rejections of the now-pending claims will be discussed below. Applicants reserve the right, however, to rebut the substance of the rejections of the now-cancelled claims at a later time, if and when the subject matter of such claims becomes re-introduced.

Claims 33-35 and 37-39 stand rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent No. 4,688,105 (Bloch et al.). Claim 36 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Bloch et al. Applicants respectfully submit that the claims are patentable over Bloch et al. for at least the following reasons.

Independent Claim 33 requires a method for forming a presentation comprising a set of image sequences captured using a camera. The method includes obtaining programmed instructions for capturing members of the set of image sequences. The method also includes assembling an electronic storyboard, according to the programmed instructions. The electronic storyboard includes a plan for the arrangement of the members of the set of image sequences made at least in part before their capture. The method also includes prompting a camera operator of the camera to have the camera operator use the camera to capture individual members of the set of the image sequences by displaying operator instructions to the camera operator. Additionally, the method includes storing the set of the image sequences in a data storage device. The method further includes

assembling the presentation using the set of the image sequences, including the individual members captured by the camera operator, according to the electronic storyboard. And, the method includes recording the presentation to a data storage device.

Some notable features of amended Claim 33 are the prompting of a camera operator of the camera to have the camera operator use the camera to capture individual members of the set of said image sequences by displaying operator instructions to the camera operator; and assembling the presentation using the set of the image sequences, including the individual members captured by the camera operator, according to the electronic storyboard.

It can be seen, then, that the claimed invention generates the presentation based on individual members of a set of image sequences captured by the camera operator. Such features allow a camera operator to be instructed on how to, for example, shoot images of a birthday party. The storyboard can provide a template for the camera operator to teach the camera operator when and how to shoot images during a birthday party so that a nice presentation can be generated therefrom.

In contrast to instructing a camera operator on when and how to **shoot** images according to a storyboard, Bloch et al. is understood to instruct a user on how to **be shot** by a camera according to a background sequence. Bloch et al. is not understood to teach or suggest instructing its user on how to be the camera operator to capture images of an event according to a storyboard. In this regard, Bloch et al. is not understood to teach or suggest at least the claimed limitations of prompting a camera operator of the camera to have the camera operator use the camera to capture individual members of the set of said image sequences by displaying operator instructions to the camera operator; and assembling the presentation using the set of the image sequences, including the individual members captured by the camera operator, according to the electronic storyboard.

As allegedly teaching prompting a camera operator, according to the prior version of Claim 33, the Office Action cites Bloch et al.'s col. 5, lines 26-29 and 40-45. Col. 5, lines 26-29 are understood to discuss presenting instructions and prompting a user for "displaying previews of the background sequences available on the videodisc". Col. 5, lines 40-45 are understood to discuss presenting text, prompting, and cues which may or may not be recorded onto a recording medium.

Accordingly, these portions of Bloch et al. are understood to be silent regarding Claim 33's prompting a camera operator of the camera to have the camera operator use the camera to capture individual members of the set of said image sequences by displaying operator instructions to the camera operator; and assembling the presentation using the set of the image sequences, including the individual members captured by the camera operator, according to the electronic storyboard.

For at least the above-discussed reasons, Claim 33 is believed to be patentable over Bloch et al.

Independent Claim 44 includes the same or similar features as those discussed above in connection with Claim 33 and, therefore, is submitted to be patentable for at least the same reasons.

The other claims in this application depend from one of the independent claims discussed above and, therefore, also are submitted to be patentable for at least the same reasons. Since each dependent claim is deemed to define an additional aspect of the invention, individual consideration or reconsideration, as the case may be, of the patentable of each claim on its own merits is respectfully requested.

For example, Claim 36 requires that programmed instructions be obtained by communicating over a network. Claim 33, from which Claim 36 depends, requires that the programmed instructions be for capturing members of the set of image sequences and be used to assemble an electronic storyboard. When rejecting Claim 36, the Office Action takes Official Notice updating firmware over a network is well known and expected in the art. While the general concept of updating firmware over a network may be well known and expected in the art, Claim 36 does not require updating firmware over a network. Claim 36 requires obtaining programmed instructions over a network for capturing members of the set of image sequences and that are used to assemble an electronic storyboard. Accordingly, the Final Office Action is submitted not to have addressed the particular requirements of Claim 36.

While not all distinguishing features of the claims from the cited rejecting reference are discussed herein in order to expedite prosecution, such shall not be construed as an admission that particular features described herein are indeed taught or suggested by the prior art.

This Amendment After Final is believed to place this application in condition for allowance and, therefore, its entry is believed proper under 37 C.F.R. § 1.116. Accordingly, entry of this Amendment After Final, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and the allowance of the present application.

Respectfully submitted,

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DATE

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